

The University of Chicago

ROMAN SOCIETY FROM COMMODUS
TO ALEXANDER SEVERUS

A PART OF A DISSERTATION SUBMITTED
TO THE FACULTY OF THE DIVISION OF THE
HUMANITIES IN CANDIDACY FOR THE
DEGREE OF DOCTOR OF PHILOSOPHY

DEPARTMENT OF LATIN LANGUAGE
AND LITERATURE
1937

By
MARY REBECCA BELL

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INTRODUCTION AND SUMMARY

I. Family

Characteristic of Roman life in all periods was the emphasis placed on the family as a social unit, of which the father was the autocratic head. Even at this time the traditional authority of the pater familias over his children was not merely nominal but actual. The letter in which Ceionius Postumius tells of acknowledging his son Clodius Albinus as a member of his family shows that it would have been permissible for him to refuse to do so.¹ The exposing of children was a regular practice, which Minucius Felix says occurred frequently.² Tertullian implies that it was not uncommon for Romans to permit their children to be adopted that they might have better advantages.³

The important regulation that had been introduced by Marcus Aurelius that the names of free-born children in Rome and in the provinces should be recorded in the public records⁴ was in force throughout this period.⁵ This record was for the purpose of safeguarding one's civil status.

II. Classes of Society

Although in some respects there was a tendency to lessen class distinction, it is clear that the senatorial and equestrian orders, and the plebs were still recognized as distinct classes of free-born citizens, with special rights and privileges.

But a swift and lasting change in the power and prestige of the senate occurred during this period. That order had been

¹Historia Augusta Clodius Albinus 4. 7.

²Octavius 31. 4; 30. 2; cf. Tertullian Ad nationes 1. 15. 16; Apologia 9.

³Ibid.

⁴H. A. Marcus Antoninus 9. 7-8.

⁵H. A. Diadumenianus 6. 7; Gordiani 4. 8.

treated with unusual deference by Marcus Aurelius,¹ who both respected their dignity and increased their duties. But a decline began in the reign of Commodus, and continued without interruption except in the brief reign of Pertinax² until the accession of Alexander Severus, who made a fruitless attempt to restore the senate to its former position. Commodus ignored the authority of the senate,³ put many to death with the purpose of destroying that order,⁴ and showed his contempt for their rank by humiliating them in many ways.⁵ Their position was little better under Didius Julianus.⁶

After the reign of the Severi the dyarchy was clearly at an end. Septimius Severus, who had been made emperor by the German legions, made a spectacular entrance into the city,⁷ and at once introduced a military regime. The senate resented the presence of so many soldiers in the city, and very soon realized that the Emperor was ruling without the aid of civil forces.⁸ The power of the soldiers increased until at the accession of Alexander Severus, according to the statement of Lampridius, they had become accustomed to choose and remove emperors at will.⁹ The senate still passed a decree at the accession of a new emperor, but it was now merely a formal vote of confirmation.

As the power of the senate waned that of the equestrian class increased. Through the reforms of Hadrian knights had replaced freedmen in important imperial bureaus; they received titles of honor, eminentissimus,¹⁰ perfectissimus,¹¹ and egregius,¹² probably under the Antonines. In the reign of Commodus some military commands that had formerly been held by senators were given to knights.¹³ Septimius Severus increased their civil powers chiefly by assigning new duties to the praetorian prefect, who

¹H. A. M. Anton 10.

²H. A. Pert. 6. 2; 13. 2; Dio Cassius lxxiv. 3. 4.

³Dio lxxiii. 15. 1; H. A. Com. 19. 6.

⁴H. A. Com. 3. 9; 5. 12; Herodian 1. 8. 7.

⁵H. A. Com. 3. 3; Dio lxxiii. 16. 3; 21. 2.

⁶Dio lxxiv. 14. 1-2.

⁷Ibid. lxxv. 1. 3-5.

⁸Ibid. 2. 3.

⁹H. A. Alex. 1. 7.

¹⁰CIL, IX, 2438.

¹¹CIL, VI, 1603.

¹²CIL, V, 532 l. 28.

¹³H. A. Com. 6. 2.

was regularly of equestrian rank.¹ The extent of the prefect's power is shown by a statement from a letter of Macrinus who had held that office in the reign of Caracalla: οὐ πολὺ τῇ ἐξουσίᾳ καὶ δυνάμει βασιλικῆς ἀποδεύσθη.²

The senate was affected also by the levelling among classes and nations that made rapid progress in this period. Freedmen were enrolled in the senate by Commodus,³ and also by later emperors.⁴ Pertinax,⁵ Pescennius Niger,⁶ and Verus,⁷ who commanded forces in the East during the reign of Elagabalus, served as centurion before they were enrolled in the senate. Adventus, a soldier of the lowest rank, was made a senator by Macrinus.⁸ In the reign of Caracalla for the first time an Egyptian was admitted to the senate and the consulship.⁹

The outward appearance of dignity and power was in some measure maintained, but the account of this period given by Dio Cassius, who was himself a member of the senate, shows that the senators were well aware of the servility which conditions had forced upon them. Both senators and knights felt obligated to be present in the amphitheatre when Commodus was to appear in the arena, while many of the plebs, who enjoyed greater freedom, absented themselves from fear and from shame. Dio states further that they would shout whatever they were commanded, especially, καὶ κύριος εἴ καὶ πρότος εἴ καὶ πάντων εὐτυχέστατος. νικᾷς, νικήσεις, ἀπ' αἰῶνος, Ἀμαζόνιε, νικᾷς.¹⁰ Their subservience is shown also at the accession of Didius Julianus, whom they hated and feared,¹¹ but accepted as emperor, concealing their true

¹Marcus Aurelius had regretted that Pertinax was a senator and therefore could not become prefect (H. A. Pert. 2. 9). An exception was Plautianus (Her. iii. 11. 2; Dio lxxvi. 15. 2). Alexander Severus was the first emperor to make the prefect a senator with full rights. The reason assigned for this policy, that he did not wish to have one pass judgment on a senator who was not himself a senator (H. A. Alex. 21. 3-5) shows that the prefect at that time regularly had such judicial power. Both Paulus and Ulpian held that office in the time of Alexander Severus (H. A. Alex. 26. 5; Pesc. Nig. 7. 4), as Papinian had done in the reign of Septimius Severus (Dio lxxvii. 10. 7; 14. 6).

²Her. v. 1. 2.

³H. A. Com. 6. 9.

⁴H. A. Pert. 7. 9.

⁵Ibid. 1. 5.

⁶H. A. Pesc. Nig. 1. 5.

⁷Dio lxxx. 7. 2.

⁸Ibid. lxxix. 14. 1.

⁹Ibid. lxxvii. 5. 5.

¹⁰Ibid. lxxiii. 20. 2; 18. 2.

¹¹Ibid. lxxiv. 12. 2-3.

feelings when they went to the palace to pay their respects.¹ Again the people showed greater freedom, openly expressing their resentment.²

From the beginning of the reign of Caracalla it was the custom of the senate to utter as an acclamation the wish that he would rule for a hundred years.³ Their true sentiment, however, and their realization of their subjection are shown by the statement of Dio Cassius that at first they gave little thought to the humble origin of Macrinus when he became emperor, being less concerned about whose slaves they were to be, δουλεύουσιν, than about the one from whom they had just been freed.⁴

At the accession of Elagabalus, Dio states, the senate was unable to do any of the things that were proper or expedient, but through fear exalted the name of Caracalla.⁵ Elagabalus treated all classes with contempt, especially the senators, calling them toga-clad slaves.⁶ So great was their joy when Alexander Severus became emperor that there was, no doubt, sincerity in the extravagant acclamations in his honor.⁷

The senators and knights are frequently mentioned together in contrast to other classes of society.⁸ Spartianus refers to them as "men of both orders," utriusque ordinis viri.⁹

The legal position of the plebs differed distinctly in this period from that of other free-born citizens. For many crimes one penalty was fixed for those of senatorial or equestrian rank, another for those of lower classes.¹⁰ The plebs are represented as a fickle mob whose favor in most instances was

¹Ibid. 13. 2.

²Ibid. 13. 3-5; H. A. Did. Iul. 4; Her. 11. 6. 13.

³Dio lxxix. 8. 3.

⁴Ibid. 18. 4; cf. H. A. Macr. 2. 3-4.

⁵Dio lxxx. 2. 4-5.

⁶H. A. Elag. 20. 1; Senatum nonnumquam ita contempsit ut mancipia togata appellaret, populum Romanum unius fundi cultorem, equestrem ordinem in nullo loco habens.

⁷H. A. Alex. 6-12.

⁸Dio lxxiii. 20. 1; lxxv. 5. 3-5; lxxix. 18-21; lxxx. 9. 1; Ulpian Regulae vii. 5.

⁹H. A. Geta. 6. 3.

¹⁰Ulp. in Justinian's Digesta xlvii. 17. 1; Marcianus xlviii. 8. 3. 5; Callistratus xlviii. 19. 28. 11; 38. 2.

easily won.¹ Caracalla is said to have been especially loved because he presented cloaks to the plebs.² They rejoiced that Elagabalus was emperor, because they were pleased with the chances that he distributed.³ Tertullian considers faithlessness characteristic of the Roman populace, who turned readily from one emperor to another in quest of largess.⁴

An evil which developed in the reign of Commodus for the first time in the second century was the rise of the favored imperial freedmen to positions of power. Commodus, who devoted himself to pleasure, at times permitted his powerful chamberlains to rule the Empire, and to amass great wealth by the sale of information, honors, and privileges. Cleander sold senatorial rank, and at one time appointed twenty-five consuls in one year.⁵ The same condition existed in the reign of Caracalla, whose favorite freedman, Theocritus, is said to have had more power than both prefects, and to have been equalled in power and lawlessness by Epagathus, also a freedman.⁶ Elagabalus not only permitted his favorite, Zoticus, to amass enormous wealth by selling favors,⁷ but appointed freedmen as governors, consuls, legates, and generals.⁸ Only a small number even of imperial freedmen, however, gained such favor. Some in the reign of Septimius Severus became brigands. According to Dio Cassius there were with Bulla, a famous brigand of that time, many imperial freedmen, some of whom had received little pay, others no pay at all.⁹

The position of the great number of freedmen was substantially the same as in the early Empire. One's obligation to include his patron among his heirs remained unchanged,¹⁰ and to render certain reasonable service.¹¹ There were rescripts of

¹They refused, however, to accept a distribution offered by Didius Julianus. They hated him because they thought him responsible for the death of Pertinax who, they had believed, would remedy the abuses of Commodus (Dio lxxiv. 13. 3).

²H. A. Macr. 5. 3.

³H. A. Elag. 22. 4.

⁴Apol. 35.

⁵Dio lxxiii. 12. 2-5; 10. 2; H. A. Com. 4. 5; 6; Her. 1. 12. 3.

⁶Dio lxxviii. 21. 2.

⁷H. A. Elag. 10. 3.

⁸Ibid. 11. 1.

⁹lxxvii. 10. 5

¹⁰Ulp. Dig. xxxviii. 2. 3. 10.

¹¹Paulus ibid. xxxviii. 1. 17.

Commodus and the Severi concerning the relation of freedman and patron. A freedman who struck his patron or did not provide for him in poverty or illness was committed to his patron's service or sold.¹ A rescript of Caracalla provided that a patron who did not support his freedman in his need lost all rights of a patron.²

Although one might in this period receive the ius aurei anuli, which gave him the rights of the free-born,³ he retained some of the rights and duties of a freedman.⁴ The right of the gold ring was not bestowed upon every freedman, as a statement of Tertullian implies,⁵ but as a favor of the emperor.⁶

The status of slaves in this period differed only slightly from that of earlier times, but there is evidence of a tendency to improve their position and treatment. Septimius Severus made it a duty of the city praetor to hear complaints of slaves who were unjustly treated by their masters.⁷

Slaves had some influence in public life in the time of Commodus⁸ and of Caracalla.⁹ In the reign of Elagabalus they were sometimes given important imperial posts.¹⁰ Eunuchs, whom the context shows to have been slaves, were placed in charge of finances and procuratorships. All of these, however, were removed by Alexander Severus.¹¹

Elagabalus is said to have introduced the practice of having slaves make jests at their masters' expense at the vintage-festival,¹² which was contrary to Roman custom.

¹Modestinus ibid. xxv. 3. 6. 1; cf. Ulp. ibid. 1. 12. 1.

²Marcian. ibid. xxxvii. 14. 5. 1.

³Paul. ibid. xl. 10. 5; Tryphonius ibid. 1. 44. 3.

⁴Marcian. ibid. xxxv. 1. 33. 2; Paul. ibid. xl. 19. 5; Ulp. ibid. xxxviii. 2. 3. pr.

⁵De Carn. res. 5. 7.

⁶See n. 4 supra.

⁷Ulp. Dig. 1. 12. 1. 8; 1. 12. 1. 1.

⁸H. A. Com. 19. 6.

⁹Dio lxxviii. 17. 1.

¹⁰H. A. Elag. 12. 1-2.

¹¹H. A. Alex. 23. 4-6; 34. 3; 66. 3-4.

¹²H. A. Elag. 11. 6.

III. The Position of Women

At no time did women have greater freedom in both public and private life than in this period. As marriage with manus became less frequent other changes occurred, some of which were due to the disuse of manus.

Marcus Aurelius and Commodus removed a legal discrimination between those who had married with manus and those who had married without it. They abolished the old law that made marriage with manus the condition on which sons could inherit the property of an intestate mother.¹ As early as the time of Ulpian the title mater familias was no longer restricted to those women who had married with manus.²

At the beginning of the third century Caracalla virtually abolished--at least greatly modified--the old law that forbade the exchange of gifts between husband and wife. The only restriction he made was that the gift should be voidable by the donor.³ The system of tutelage had not been discontinued,⁴ but the tutor had no real authority. Some transactions were not valid without his authorization,⁵ but it was merely formal authorization which he was not free to withhold.⁶

The rank of women, like that of men, was of much significance. Consular rank might be obtained in three ways, by birth, by marriage with one of that order, or by special grant of the emperor. Sometimes a woman of consular rank who married a man of lower station was permitted to retain her rank, but even at this time such action was very rare, quamvis perraro.⁷ Elagabalus cheapened the honor of this rank by conferring it upon the mother of his favorite slave while she herself was still a slave.⁸

That certain privileges were determined on the basis of rank shows that it was of real value. Ulpian was not sure that anyone other than a man of consular order took precedence over a

¹Ulp. xxvi. 7.

²Ulp. Dig. 1. 6. 4.

³Ibid. xxiv. 1. 32. pr., 5, 10.

⁴Ulp. xi. 28a.

⁵Gains Inst. 11. 112; Ulp. xx. 15.

⁶Gains Inst. 1. 190; 11. 122.

⁷Ulp. Dig. 1. 9. 12.

⁸Dio lxxx. 15. 2.

woman of that rank.¹ Only women of the nobility took part in the rite of apotheosis.²

That an organization of matrons was active in the time of Septimius Severus is shown by the fact that Julia Domna restored some structure that was devoted to their use.³ But its character was entirely changed at the reorganization by Elagabalus. Its decrees, which now dealt in minute detail with questions of precedence, dress, and the use of vehicles by matrons,⁴ show the importance of the question of rank in the eyes of the Romans at this time.

Christian and historical writers alike show that there was much immorality among women of different classes. Tertullian tells of husbands who were constantly anxious about their wives' conduct,⁵ of noble women who cohabited with their own slaves and freedmen,⁶ of women who lost their freedom by cohabiting with the slaves of another,⁷ of general promiscuity and laxness of morals,⁸ and of daily increasing depravity.⁹ Historians and biographers tell of empresses and other women of the court who were, or were thought to be, guilty of adultery or incest.¹⁰

Septimius Severus enacted remedial legislation, but found so little public interest in such reform that, although there were many indictments on charges of adultery, few prosecutions followed.¹¹ A rescript of Severus and Caracalla made a betrothed woman liable to accusation of adultery by her intended husband.¹² Alexander Severus likewise took measures to improve moral conditions. He forbade women of ill-repute, famosae, to be present at the receptions of his wife or mother.¹³ He also arrested and punished a great number of such women.¹⁴

Characteristic of this period is the extraordinary influ-

¹Dig. i. 9. 1.

²Her. iv. 2. 5.

³CIL, VI, 997.

⁴H. A. Elag. 4. 4.

⁵Ad nat. i. 4.

⁶Ad uxor. ii. 8.

⁷Ibid.; cf. Ulp. xi. 11.

⁸Apel. 39; De monog. 9; De pall. 4.

⁹De cultu fem. ii. 12.

¹⁰Dio lxxiii. 4. 4-5; lxxvii. 3. 1; H. A. Com. 5. 9; Pert. 13. 8; Sev. 18. 8; 2l. 7; Elag. 2. 2; 18. 2.

¹¹Dio lxxvii. 16. 4.

¹²Ulp. Dig. xlviii. 5. 14. 3.

¹³H. A. Alex. 25. 10.

¹⁴Ibid. 34. 4.

ence of women in political life. In the early part of the period, to be sure, their position was similar to that of women under earlier emperors. Marcia, a concubine, had great power in the reign of Commodus.¹ Both she² and Lucilla,³ sister of the emperor, were active in conspiracies against his life. Julia Domna influenced decisions⁴ and appointments⁵ of Septimius Severus. But later we find women showing activity in public life that was contrary to Roman precedent. Caracalla placed Julia Domna in charge of petitions and correspondence in both languages, except in the most important matters.⁶ This practice reached its height under Elagabalus and Alexander Severus. Maesa, with the aid of her daughters, Soaemias and Mamaea, led the revolution⁷ which made Elagabalus, son of Soaemias, emperor. She then influenced him to adopt his cousin, Alexianus,⁸ who very soon became his successor. She had great influence in the reign of Elagabalus, as did also his mother. He is said to have done no official act without the approval of the latter.⁹ He went even further, and not only invited both Maesa and Soaemias to be present at sessions of the senate, but gave them seats of honor and permitted them to witness from the consuls' bench the drawing of decrees and to enter into the deliberations.¹⁰ This practice was so contrary to Roman custom that immediately after his assassination the senate decreed that if anyone thereafter should cause a woman to enter the senate his life should be declared forfeited.¹¹ Elagabalus was the only emperor under whom such a privilege was given to a woman.¹²

With this exception the practice of Alexander Severus did not differ from that of his predecessor. Herodian declares that he had only the name of emperor, while the actual administration

¹Dio lxxiii. 4. 7.

²H. A. Com. 17. 1-2; Dio lxxiii. 22. 4; Her. 1. 16-17.

³H. A. Com. 4. 1-4; Dio lxxiii. 4. 5; Her. 1. 8. 3-6.

⁴H. A. Albin. 3. 5; Geta 1. 5.

⁵Philostr. Vit. Soph. 11. 30.

⁶Dio lxxviii. 18. 2; lxxix. 4. 2.

⁷Her. v. 3. 11; Dio lxxix. 38. 4.

⁸Her. v. 7. 1.

⁹H. A. Elag. 2. 1.

¹⁰Ibid. 4. 1-2; 12. 3; 15. 6.

¹¹Ibid. 18. 3.

¹²Ibid. 4. 2.

of the state was in the hands of Maesa and Mamaea.¹ Lampridius differs somewhat with this statement. He gives Mamaea much credit for the excellent reign of Alexander, but adds that the emperor's ability and the advice of Ulpian and other friends were largely responsible for his success; H. A. Alex. 66. 1-2:

et ipse optimus fuit . . . et optimae matris consiliis
usus est. At tamen amicos sanctos et venerabiles habuit.²

According to Dio Cassius, however, even this situation was in accordance with the plan of his mother, who, as soon as Alexander became emperor, took over the direction of affairs, ἡ τῆν πραγμάτων οἰκονομίαν μεταχειρίσσο, and gathered the best men in the senate as advisers, telling them what had to be done.³

The women of this family, who had gained imperial power through military force, did not thereafter limit their activity to civil affairs. Elagabalus is said to have been accompanied by Maesa when he went to camp.⁴ Mamaea was with Alexander with the army in Germany at the time of his death,⁵ which was thought by some to have been due to her influencing him to withdraw from the campaign.⁶

Women of the imperial family sometimes received special honors. Septimius Severus honored his mother and Marcia, his first wife, with statues.⁷ Caracalla regularly mentioned Julia Domna in his communications to the senate.⁸ And Mamaea was honored equally with Alexander Severus at annual ceremonies held in his memory.⁹

IV. Education and Literature

Changing political and social conditions had not changed the essential character of formal education. The three usual grades of instruction with a view to training for civil and military service were maintained throughout this period. Alexander

¹vi. 1. 1.

²Cf. 51. 4.

³Frg.

⁴H. A. Elag. 12. 3.

⁵H. A. Alex. 60. 2; Maxim. 7. 4; Her. vi. 9. 7.

⁶H. A. Alex. 59. 8; 63. 5; Maxim. 7. 5; Her. vi. 8. 3.

⁷H. A. Sev. 14. 4.

⁸Dio lxxviii. 18. 2.

⁹H. A. Alex. 63. 4.

Severus, who was educated in Syria and Rome, had as instructors litteratores--grammaticum--rhetorem--philosophum--and did not let a day pass without training himself in literature and for military service, ad litteras et ad militiam.¹ The same schools were found also in other provinces. Septimius Severus² and Clodius Albinus³ received the usual Roman education in Africa; and teachers of the different schools were familiar figures in Carthage.⁴

There was considerable interest in declamation, which must have been increased by the popularity of the artificial rhetorical speeches of the sophists of the second century. Tertullian tells of Phosphorus, a Latin rhetorician in Carthage, who once, speaking in the rôle of a man of valor, closed his speech with such self-praise that his pupils shouted their approval of him and his school.⁵ Hadrian, a rhetorician, was so popular in the reign of Commodus that the people would leave the theatre and hasten to the Athenaeum when it was announced that he was to declaim.⁶

Students still took their themes chiefly from history and mythology. Tertullian considered teaching improper for Christians because teachers in all schools, ludimagistri . . . et ceteri professores litterarum, regularly taught the names, genealogies, and stories of the gods.⁷

Both real and pretended interest in philosophy, which had been stimulated by the favor it received from Marcus Aurelius⁸ continued throughout this period. It received special emphasis in the time of Septimius Severus, who admired and imitated the studies of Marcus Aurelius.⁹ Through his influence Caracalla devoted much time to the study of philosophy even after he became emperor.¹⁰ That Julia Domna also was a student of philosophy, gathering about her a group of learned men,¹¹ must have stimulated

¹H. A. Alex. 3. 1-3. ²H. A. Sev. 1. 4-6.

³H. A. Albin. 5. 1.

⁴Tert. De pall. 6; idem Adv. Val. 8.

⁵Ibid.

⁶Philostr. Vit. Soph. 11. 10 (ed. Kayser 589).

⁷De idol. 10.

⁸Dio lxxii. 35. 2.

⁹H. A. Geta 2. 2; Cf. H. A. Sev. 18. 5; Dio lxxvii. 16. 1.

¹⁰Dio lxxviii. 11. 3.

¹¹Philostr. Vit. Soph. 11. 30 (ed. Kayser 622)

at least a superficial study in other circles. Tertullian comments on the immunities¹ granted to philosophers, who also received salaries and were sometimes honored with statues. They were allowed great freedom of speech, even criticizing emperors with impunity.²

There is evidence of a decline in interest in the third century. Though there were philosophers at the court of Elagabalus,³ they were treated with scant respect. Alexander Severus, at the advice of his mother, gave up the study of philosophy.⁴ The first Gordian, however, retained his interest in philosophical writers throughout his life.⁵

A significant movement in education which made distinct progress in this period was toward the development of a state system supported in part by the imperial treasury and the municipalities. Vespasian had been the first to make imperial grants to teachers.⁶ Other grants were made by Hadrian⁷ and Antoninus Pius.⁸ Additional acts belong to this period. Marcus Aurelius in 176 endowed chairs in Athens in different subjects, and granted annual salaries.⁹ Alexander Severus made further grants, providing lecture-rooms, and providing also rations for needy freeborn children.¹⁰ As a result of these measures education was no longer wholly a private matter.

Education was unevenly distributed. Although in the main the emperors were educated, some who aspired to that honor had only moderate training. In this number were Pertinax,¹¹ Pescennius Niger,¹² and Clodius Albinus.¹³ According to Dio Cassius, Caracalla, because of lack of inclination, had little higher learning.¹⁴ Maximus, who later became co-emperor with Balbinus, gave scant attention to grammar and rhetoric,¹⁵ while Balbinus

¹Cf. Modest. Dig. xxvii. 1. 6. 6.

²Apol. 46.

³H. A. Elag. 10. 6; 11. 7.

⁴H. A. Alex. 14. 5; cf. ibid. 3. 3.

⁵H. A. Gord. 7. 1.

⁶Suet. Vesp. 18.

⁷H. A. Hadr. 16. 8.

⁸H. A. Pius 11.

⁹Dio lxxii. 31. 3.

¹⁰H. A. Alex. 44. 4.

¹¹Dio lxxiv. 3. 1.

¹²H. A. Pesc. Nig. 1. 4.

¹³H. A. Albin. 5. 1.

¹⁴lxxviii. 11. 2.

¹⁵H. A. M.-B. 5. 6.

was renowned for his eloquence.¹

Philostratus states that many senators and knights in the time of Commodus did not understand Hadrian when he declaimed in Greek.² Macrinus was criticized for raising to senatorial rank and then to the city prefecture Adventus, a man of humble origin who could not read and could not carry on an intelligent conversation.³

This was a period of decline in literature. Aside from the histories of Herodian and Dio Cassius of Syria and Bithynia respectively, which were written in Greek, the chief writing of the period was that of the Christian writers, Tertullian and Minucius Felix, and the jurists, many of whom are quoted in the Digest of Justinian. Outstanding representatives of this group were Papinian of the late second century, whom Spartianus calls a "treasure house of jurisprudence,"⁴ and Paulus and Ulpian of the early third century.

There was less dilettantism at this time than in the early Empire, but it is found in some measure. Albinus wrote Georgics,⁵ Alexander Severus wrote in verse the lives of the good emperors.⁶ The first Gordian wrote poems on subjects Cicero had used; also, in epic style, a poem on the early Antonines.⁷ Balbinus is said to have ranked high among the poets of the time.⁸

Of former writers there was a preference for those of early times,⁹ especially Homer,¹⁰ Plato, Cicero,¹¹ and Vergil.¹² There is little evidence of interest in writers of the Empire. Septimius Severus speaks with contempt of Apuleius.¹³

The literary contests established by Domitian as part of the Capitoline Agon¹⁴ were still held. Alexander Severus made

¹Ibid. 7. 5.

²Vit. Soph. 11. 10.

³Dio lxxix. 14. 1-2.

⁴H. A. Sev. 21. 8.

⁵H. A. Albin. 11. 7.

⁶H. A. Alex. 27. 5, 8.

⁷H. A. Gord. 3. 2-3.

⁸H. A. M.-B. 7. 5.

⁹H. A. Geta 5. 1.

¹⁰H. A. Maxim. 30. 4; Dio lxxvii. 15. 1; lxxix. 30. 1.

¹¹H. A. Gord. 7. 1; Alex. 30. 1-2; 31. 4.

¹²H. A. Albin. 5. 1-3; Macr. 12. 9; Diadum. 8. 7; Maxim. 27. 4; Alex. 31. 4; Gord. 7. 1; 20. 5; Dio lxxvi. 10. 2; Tert. Apol. 7, 25; Ad nat. 1. 7; 11. 13, 17.

¹³H. A. Albin. 12. 12.

¹⁴Suet. Dom. 4.

more stringent the laws governing such contests.¹ In the Athenaeum there were recitations by poets,² and declamations.³

There were some large private libraries. The poet Serenus Sammonicus bequeathed to the second Gordian his father's library, which, if Capitolinus is to be trusted, contained 62,000 volumes.⁴ The younger Maximinus is said to have possessed the complete works of Homer, written in gold on purple parchment.⁵ Such magnificent editions must have been rare.

V. The Arts

1. Music.--Music was still largely incidental to dramatic performance⁶ and religious rites,⁷ but it was found also as a separate performance. The Greek musical contest established by Domitian as part of the Capitoline Agon,⁸ for which the Odeum was constructed, had not been discontinued. The tibia and the cithara were the instruments most frequently used in these contests. Tertullian refers to them, and also to the crown, which was the reward of the victor.⁹

There were musicians in all classes of society. Tertullian included the musician with the grammarian and rhetorician and others who were engaged in liberal studies,¹⁰ but it was still considered unbecoming for the emperor to be especially skillful in these arts or to devote much time to such entertainment. Geta¹¹ and Macrinus¹² were criticized because of their interest in music and allied arts. Commodus,¹³ Caracalla,¹⁴ and Elagabalus¹⁵ performed on different instruments, or sang or whistled. Alexander Severus also played several instruments and sang, but he refrained

¹H. A. Alex. 44. 6.

²H. A. Pert. 11; Alex. 35. 2.

³Philostr. Vit. Soph. 11. 10; H. A. Gord. 3. 4.

⁴H. A. Gord. 18. 2.

⁵H. A. Maxim. 30. 4.

⁶Tert. De spect. 10.

⁷Her. iv. 2. 5; Dio lxxv. 5. 3.

⁸Suet. Dom. 4-5.

⁹Ad nat. 11. 5.

¹⁰De pall. 6.

¹¹Her. iv. 6. 2.

¹²Ibid. v. 2. 4.

¹³H. A. Com. 1. 8.

¹⁴Dio lxxviii. 13. 7.

¹⁵H. A. Elag. 32. 8.

from doing so after he became emperor.¹

The music popular in this period was of emotional Oriental character. Oriental instruments were not new in Rome, but their use must have become more popular after the introduction of the god Elagabal, in whose worship they had so important a part.² Both Elagabalus³ and Alexander Severus⁴ played the organum, which was probably the hydraulic organ which is described by Tertullian.⁵

2. Sculpture.--The sculpture of this period was chiefly of the monumental type. Herodian speaks of statues as an honor regularly accorded to one with imperial power. Having told of Severus' pretending that he was making Albinus Caesar he says: ἀνδριάντων ἀναστήσεις· ταῖς τε λοιπαῖς τιμαῖς τὴν δοθεῖσαν χάριν ἐπιστώσατο.⁶ Busts and statues were set up in great numbers throughout the empire, especially in the more important cities. They were especially numerous in the reigns of Commodus, the Severi, and Alexander Severus.

After the death of Marcus Aurelius anyone of specified wealth and position who did not have a statue of the deceased emperor in his house was declared sacrilegus.⁷ That the statues of Commodus also were numerous is shown by the acclamation of the senate after his death, statuas undique.⁸

Such an honor was not restricted to the emperor. Septimius Severus erected statues in honor of his father, mother, grandfather, Marcia, his first wife,⁹ and his brother, Geta.¹⁰ There were also many statues of Plautianus, the prefect, set up by private individuals, communities, and the senate.¹¹ Thinking the great number of statues indicated an approach toward imperial power,¹² or resenting their being placed among those of the im-

¹H. A. Alex. 27. 5-9.

²Her. v. 3. 8; 5. 4, 9.

³H. A. Elag. 32. 8.

⁴H. A. Alex. 27. 9.

⁵De anima 14.

⁶11. 15. 5; cf. Dio lxxiv. 15. 1. According to Capitolinus (H. A. Albin. 3. 4-5; 10. 3) Severus was sincere.

⁷H. A. M. Anton. 18. 5.

⁸H. A. Com. 18. 12. Cf. Her. 1. 14. 9.

⁹H. A. Sev. 14. 4.

¹⁰Dio lxxvii. 2. 4.

¹¹Ibid. lxxvi. 14. 6.

¹²Ibid. 16. 2.

perial family,¹ the emperor ordered some of them to be destroyed.

Caracalla caused many statues to be erected in honor of Alexander the Great² and other generals whom he admired.³ Alexander Severus too so honored distinguished persons of the past, including the deified emperors, of whom he placed statues in the Forum of Nerva⁴ and in the lararium of the palace.⁵ In the latria there were also likenesses of religious leaders of earlier times,⁶ and of literary men and military heroes.⁷ There were statues of precious metals; gold or silver statues of Pertinax,⁸ Caracalla,⁹ and Elagabalus.¹⁰

Statues of the gods were so numerous that the making of them was a recognized industry.¹¹ Tertullian speaks of the workshop¹² in which such statues were made, and refers to the sculptors as craftsmen.¹³

The value of such monuments was estimated by those qualities that would readily impress the people, as the number, size, and costliness, rather than by artistic merits.

3. Pictures.--Pictures also were used largely as a means, not as an end. Pictorial representations of men and events were found in the forum, in gardens, and in public and private buildings. They were produced in painting, mosaic, and tapestry.

Tertullian refers to the regular practice of decorating walls with paintings.¹⁴ In another place he suggests that painters find employment decorating houses, baths, and other structures.¹⁵ Even the wall painting sometimes served other than decorative purposes. In the house of the Gordians was a large picture of a wild beast hunt given by the first Gordian.¹⁶ On the ceilings of the rooms in the palace in which Septimius Severus

¹H. A. Sev. 14. 5.

²Dio lxxviii. 7. 1; cf. ibid. lxxix. 19. 2.

³Her. 1v. 8. 5.

⁴H. A. Alex. 28. 6.

⁵Ibid. 29. 2.

⁶Ibid.

⁷Ibid. 31. 4.

⁸Dio lxxv. 4. 1.

⁹Ibid. lxxix. 18. 1.

¹⁰Ibid. lxxx. 12. 22.

¹¹Tert. De idol. 5, 7, 8.

¹²Ibid. 7.

¹³Ibid. 8.

¹⁴De cultu fem. 1. 8.

¹⁵De idol. 8.

¹⁶H. A. Gord. 3.

held court were painted the stars under which he was born.¹

Events were recorded in various kinds of pictures. Tapestries used on the funeral pyre of Pertinax² may have portrayed his deeds. There were pictures of dream oracles.³ The deeds and achievements of men were sometimes recorded in pictures on the walls of colonnades. Caracalla honored his father with such a colonnade.⁴ There was a mosaic in a colonnade in the gardens of Commodus that showed Pescennius Niger taking part in the rites of Isis.⁵

There were paintings of gods⁶ and men, both emperors and private citizens. Marcia, the favorite of Commodus, was painted as an Amazon.⁷ Elagabalus painted a picture of himself to be hung in the Curia,⁸ and other pictures representing himself in various rôles.⁹ In the house of the father of Alexander Severus was a portrait of Trajan,¹⁰ and Lampridius speaks of well-known pictures of Alexander Severus as emperor.¹¹

There is little evidence of dilettantism. Elagabalus and Alexander Severus,¹² who are known to have painted, were of Syrian birth.

VI. Dress and Adornment

The dress of this period had some new features as to color, style, and material. There were also some changes in usage, and evidence of considerable luxury.

Purple had long been recognized as the imperial color, and in this period the expression "to invest with purple" was used as an equivalent for declaring one emperor. It is not certain that it was used in this sense earlier than Herodian.¹³

¹Dio lxxvii. 11. 1.

²Her. iv. 2. 7.

³Dio lxxiii. 7. 1.

⁴H. A. Carac. 9. 6; Sev. 21. 12.

⁵H. A. Pesc. Nig. 6. 8.

⁶H. A. Elag. 5. 5; 28. 2.

⁷H. A. Com. 11. 9.

⁸Her. v. 5. 6-7.

⁹H. A. Elag. 30. 1.

¹⁰H. A. Alex. 13. 2.

¹¹Ibid. 4. 2.

¹²Ibid. 27. 7.

¹³ii. 8. 6; v. 3. 12.

The purple robes were regarded as part of the imperial treasure. According to the statement of Lampridius, the inspection of these robes was an official duty of Macrinus as procurator aerarii maioris.¹ Alexander Severus kept such robes in the treasury,² and in his reign there was a department of the imperial administration in charge of them.³ This service may have originated with Alexander since there is no earlier reference to it.

Scarlet also was now a symbol of imperial rank.⁴ When Commodus made Clodius Albinus Caesar he authorized him to wear the scarlet pallium so that he might have a definite symbol of imperial majesty.⁵

There were some innovations in style. Aside from a special garment which Caracalla introduced for his own use,⁶ there was the cloak from which he took his name,⁷ which was worn by the soldiers,⁸ at least during his reign, and which came into general use, being very popular with the plebs⁹ for many years. It was a long cloak,¹⁰ which, according to Dio Cassius, was made by joining together small pieces of material.¹¹

A kind of garment not known before was the vestis balnearis. Alexander Severus was accustomed to wear this robe under a scarlet lacerna on his return from the public baths.¹² He also included a vestis balnearis in the regular equipment of a provincial governor.¹³ There is no other occurrence of this term.

The use of trousers was not introduced in this period, but the fact that Alexander Severus himself wore them,¹⁴ included

¹H. A. Diadum. 4. 1. Nothing further is known of this office. Hirschfeld (Verwaltungsbeamten, p. 307, n. 3) thinks it is to be identified with that of procurator thesaurorum. CIL, VI, 8498.

²H. A. Alex. 40. 3.

³CIL, III, 536.

⁴H. A. Albin. 6. 4; Diadum. 3. 3; Alex. 42. 1.

⁵H. A. Albin. 2. 5.

⁶Dio lxxix. 3. 2.

⁷H. A. Carac. 9. 7; Sev. 21. 11; Dio lxxix. 3. 3.

⁸Dio loc. cit.

⁹H. A. Carac. 9. 7; Macr. 5. 3. In the time of Spartianus such cloaks were worn especially by the plebs. H. A. Carac. 9. 8.

¹⁰Ibid. 9. 7.

¹¹Dio loc. cit.

¹²H. A. Alex. 42. 1.

¹³Ibid. 42. 4.

¹⁴Ibid. 40. 11.

them in the regular equipment of the soldiers,¹ and levied a tax upon the makers of trousers,² would indicate that they were more frequently worn at that time than previously.

Ulpian lists as materials in use in his time wool, linen, and two kinds of silk, serica and bombycina.³ That Elagabalus did not like the dress of the Romans because he preferred silk to wool⁴ shows that wool was still generally worn.

For centuries silk had been used in Rome but it was still costly⁵ and was considered a luxury.⁶ In this period for the first time pure silk was used, having been introduced by Elagabalus.⁷

Tertullian tells of a kind of material similar to wool,⁸ which is mentioned in this period for the first time. It was made from a mossy growth found on shells in the sea. This is the first reference to such material, which is next mentioned by Procopius.⁹

In addition to the usual types of shoes there was the baxea, the two references to which in Tertullian show that it was a gilded shoe that would be appropriately worn with purple.¹⁰ Therefore, it was quite unlike the inexpensive, comfortable shoe, palmeae baxeae, mentioned in Apuleius.¹¹ Both kinds may have been in use earlier than this, but it is probable that the gilded baxea was a development of the simpler style.

More significant are the changes that are found in this period in the use of garments that had long been worn in Rome. Tertullian mentions change in dress as a feature of a general departure of the Romans from the habits of their ancestors.¹² Such changes are found in official dress as well as in that of private citizens.

Consuls, as curule magistrates, still wore the toga prae-texta, but on their induction into office they wore triumphal

¹Ibid. 40. 5.

²Ibid. 24. 5.

³Ulp. Dig. xxxiv. 2. 23. 1.

⁴Her. v. 5. 4.

⁵Tert. De cultu fem. ii. 10.

⁶Ibid. 13; H. A. Elag. 29. 6.

⁷H. A. Elag. 26. 1.

⁸De pall. 3.

⁹De aedif. 3. 1.

¹⁰De pall. 4; De idol. 8.

¹¹Met. 2. 28; 11. 8.

¹²Ad nat. 1. 10.

robes. This custom, the earliest literary reference to which is in Fronto,¹ was apparently established by the time of Commodus, since Herodian refers to it as if it were a regular practice at that time.² The consuls wore this dress also on other important occasions.³ Alexander Severus, as consul, but never as emperor, wore both the toga picta and the toga praetexta,⁴ the latter probably for all ordinary occasions.

Triumphal robes were worn also, as in earlier times, by magistrates who presided at the games.⁵ The practice of granting triumphal honors, which Augustus had introduced⁶ when triumphs were no longer accorded to private citizens, had apparently been discontinued since there is no evidence of such action after the time of Hadrian.⁷ When Commodus granted certain imperial insignia to Albinus, he stated that the use of the toga picta was not included.⁸

In this period for the first time such robes were owned by an individual. The first Gordian, as consul in the time of Caracalla, owned robes of this kind.⁹ They had previously been owned exclusively by the state and deposited in the temple of Jupiter.¹⁰

There was a change in the dress permissible at imperial banquets. When Septimius in his youth wore the pallium to an imperial banquet he was obliged to change to the toga,¹¹ but near the close of the period, when the younger Maximinus was a guest at a banquet of Alexander Severus and did not have a vestis cenatoria, he wore one of the emperor's own.¹²

In private life there was a definite tendency toward greater freedom and uniformity in dress. According to Tertullian it was no longer possible to distinguish a freedman from a knight,

¹Ad Marc. 1. 7.

²1. 16. 3.

³Dio lxxx. 8. 3.

⁴H. A. Alex. 40. 8.

⁵Ibid.; Tert. De corona 13.

⁶Dio lii. 24. 8.

⁷CIL, III, 2830.

⁸H. A. Albin. 2. 5.

⁹H. A. Gord. 4. 5.

¹⁰According to Capitolinus (loc. cit.) they were sometimes kept in the Palace. The latter statement, as Mommsen points out (Römisches Staatsrecht, I³, p. 412, n. 1) is probably erroneous since it is not supported by other ancient authority (H. A. Alex. 40. 8; Probus 7).

¹¹H. A. Sev. 1. 7.

¹²H. A. Maxim. 30. 5.

a slave from a gentleman, the dediticii from the freeborn, the rustic from the city-folk. The corpse-bearer, the pimp, and the trainer of gladiators dressed as men of other classes.¹ There was the same lack of distinction in the dress of women. As matrons ceased to wear the stola, and laws were no longer observed which forbade the courtesan to wear the dress of matrons, it became difficult to distinguish one class from the other.²

Not all restrictions however had been discarded. In the reign of Elagabalus there were distinctions made by the matrons as to their own dress.³ Alexander Severus permitted old men to wear the paenula inside the city, but withheld the privilege from women.⁴ He considered introducing new regulations in dress, and re-introducing old regulations that had fallen into disuse, but because Ulpian and Paulus feared such a course would lead to dissension the plan was not carried out. The distinction between knights and senators however was maintained.⁵

There is much evidence of luxury in both dress and adornment. Of the emperors, Commodus and Elagabalus were especially given to luxury. Commodus wore garments of silk embroidered with gold, and other costly dress.⁶ Elagabalus had garments of pure silk,⁷ and of material interwoven with gold;⁸ also Persian tunics set with precious stones.⁹ He sometimes wore engraved stones on his shoes,¹⁰ and is said never to have worn the same shoes or the same ring a second time.¹¹ Caracalla also wore rings and precious stones.¹² Macrinus was criticized by the soldiers for his use of such adornment, which they considered barbarous or effeminate.¹³

Tertullian refers to the extravagance of women in dress as an evil that was characteristic of his time.¹⁴ Moderate use

¹De pall. 4.

²Tert. De cultu fem. 11. 9, 12; Apol. 6.

³H. A. Elag. 4. 4.

⁴H. A. Alex. 27. 4.

⁵Ibid. 27. 1-3.

⁶Dio lxxiii. 17. 3; H. A. Pert. 8. 2; Her. 1. 14. 8.

⁷H. A. Elag. 26. 1.

⁸Ibid. 23. 3; cf. Alex. 40. 11.

⁹H. A. Elag. 23. 3.

¹⁰Ibid. 23. 4.

¹¹Ibid. 32. 1.

¹²Her. iv. 8. 9.

¹³Ibid. v. 2. 4.

¹⁴De cultu fem. 1. 1; 1. 6; 11. 1, 9, 12; Apol. 6.

of jewelry by women was not considered a luxury, but a regular feature of dress.¹ There were bracelets, anklets, necklaces,² ear-rings, and ornaments for the hair.³ Matrons sometimes wore gold and precious stones on their shoes.⁴ But according to Tertullian women made excessive use of such adornment. They were burdened with the weight of their jewels.⁵ They had in one strand jewels valued at a million sesterces, and in their jewel-boxes whole patrimonies.⁶

The statements of Tertullian may be exaggerated, but in the main they are amply supported by historians and biographers. Alexander Severus discontinued many of the extravagant practices of Elagabalus. He spent little on imperial outfits of silk and gold.⁷ He never wore pure silk or made gifts of silk garments.⁸ He himself did not wear jewels,⁹ and permitted them to be worn only by women.¹⁰ He also limited the number and the quality of costly robes and jewels to be worn by women of the court.¹¹

Tertullian shows the luxury in dress and adornment in this period of wealth, when in an analogy he describes the city as adorned with purple, scarlet, gold, and precious stones, Sedet certe in purpura et coccino et auro et lapide pretiosc.¹²

VII. The Baths

There were changes in this period in the number of baths and in the regulations concerning their use. Baths are known to have been constructed in the reigns of Commodus,¹³ Septimius Severus,¹⁴ Caracalla, Elagabalus, and Alexander Severus. The main structure of the Baths of Caracalla, which was the most notable establishment, was in use before the end of Caracalla's reign, but additions were made by Elagabalus and Alexander Seve-

¹De cultu fem. i. 4.

³Ibid. i. 6; ii. 10.

⁵Apol. 6.

⁷H. A. Alex. 33. 3.

⁹Ibid. 41. 1; 51. 1-3.

¹¹Ibid.

¹³H. A. Com. 17. 5.

²Ibid. ii. 13.

⁴H. A. Elag. 4. 4.

⁶De cultu fem. i. 9.

⁸Ibid. 40. 1.

¹⁰Ibid.

¹²De cultu fem. ii. 12.

¹⁴H. A. Sev. 19. 5.

rus.¹ The latter built baths for each region where they had not already been constructed,² and made provision for the maintenance of all such public establishments.³

He also made two significant changes in regulations concerning the use of public baths. First, he permitted them to be open in the evening, which had not been done before in Rome.⁴ The statement of Lampridius that formerly they had not been open before dawn shows that the regulation of Hadrian fixing the eighth hour for opening⁵ had already ceased to be observed. In the second place he renewed the regulation of Marcus Aurelius⁶ forbidding indiscriminate use of baths by men and women,⁷ violation of which had been permitted by Elagabalus.⁸

That there were many new establishments, in addition to those already in use, and that they were open earlier than formerly, even before Alexander permitted them to be open also in the evening, is ample evidence that there was a distinct increase in the use of public baths in this period. Further evidence is the statement of Tertullian that they were always busy.⁹

VIII. Amusements

1. The theatre.--The theatres of Pompey, Marcellus¹⁰ and Balbus,¹¹ the first of which was restored in the reign of Septimius Severus,¹² were in use at this time. Theatres were regularly provided and maintained by the state.¹³

The mime and the pantomime were the most popular forms of entertainment. According to Philostratus the pantomime was the usual kind of performance in his time.¹⁴ The tragic pantomime

¹H. A. Elag. 17. 9; Carac. 9. 4-5; Alex. 25. 6.

²H. A. Alex. 39. 4.

³Ibid. 24. 5-6.

⁴Ibid.

⁵H. A. Hadr. 22. 7.

⁶H. A. M. Anton. 23. 8.

⁷H. A. Alex. 24. 2.

⁸Ibid.; cf. H. A. Elag. 31. 7; Alex. 53. 1-7.

⁹Apol. 40.

¹⁰H. A. Alex. 44. 7.

¹¹Ausonius Lud. Sept. Sap. 40-41.

¹²CIL, VIII, 1439.

¹³Ibid.; H. A. Alex. 44. 7; Tert. Adv. Hermog. 31.

¹⁴Vit. Soph. 11. 10 (ed. Kayser 589).

was probably the only kind presented at this time, since there is no certain reference to any other.¹ The dancer, who played the rôles of both men and women, was accompanied with song and instrumental music.² Tragedy survived also in the form of tragic recitation,³ for which the speaker wore tragic costume, including the cothurnus.⁴

Mimes like those of Lentulus and Hostilius of the first century, in which the gods were portrayed in ludicrous situations, were being written at this time.⁵ The mime was still the only performance in which women appeared, and even in it the women's rôles were sometimes played by men.⁶ The freedom that had formerly been allowed to mime actors to criticize individuals, even the emperor, seems to have been restricted in this period, since there is no evidence of such criticism after offending actors were sent into exile by Commodus.⁷

There was also a form of comedy that was distinct from the mime. Herodian refers to actors in both types of performance.⁸ Tertullian also mentions both forms, mimis et comoedis, ascribing to both a theme that is common in Plautine comedy.⁹ The comic poets, who, in accordance with a general ruling of Caracalla forbidding the use of the name Geta, ceased to use that name in their comedies,¹⁰ may have been writers of either type of play. The Atellan farce, though less common than the mime and pantomime, was still presented.¹¹ Another kind of performance was puppetry.¹²

Many actors were slaves or freedmen.¹³ When free men became actors they became infames.¹⁴ Tertullian condemns their low moral standards,¹⁵ and the army resented the association of Ela-

¹Lucian Περὶ ὀρχ. 31.

²Tert. De spect. 10.

³Ibid. 25, 26, 30.

⁴Ibid. 23.

⁵Tert. Apol. 15; Ad nat. 1. 10.

⁶Idem De spect. 17.

⁷H. A. Com. 3. 4.

⁸v. 7. 7: καμφοῖς καὶ μίμων ὀκρυταῖς.

⁹Ad nat. 1. 16: tot sanguinis mixtiones.

¹⁰Dio lxxviii. 12. 5.

¹¹Tert. De spect. 17; cf. De pall. 4.

¹²Idem Adv. Val. 12. 18; De anima 6.

¹³Afric. Dig. xxi. 1. 34; Gaius iii. 212; Dio lxxviii. 21.

2.

¹⁴Ulp. Dig. ii. 2. 2. 5.

¹⁵De idol. 5.

gabalus with actors.¹ They were however very popular and sometimes very rich.² Tertullian condemns also the low moral tone of the theatre and the obscenity which was one of the essential characteristics of the performance.³

All classes were represented in the audience and all ages, both men and women.⁴ So popular were mimes and pantomimes as entertainment at banquets that Lampridius comments on the fact that they were not presented at banquets of Alexander Severus.⁵ Society was necessarily influenced by such licentious performance. What Cyprian said of this influence in the middle of the third century is equally applicable in this period: expugnat boni peccatoris conscientiam fortio rem . . . ut auditu molliore perniciies hominibus obrepant.⁶

2. The Circus.--The construction or improvement of circus buildings was at the expense of the emperor or the state. Caracalla made some improvement in the Circus Maximus.⁷ Tertullian refers to the construction of a circus as a duty of the state.⁸ There is evidence of a change in the structure of the spina. It now had tanks of water. The term euripus, which formerly referred to the water-channel separating the cavea from the arena⁹ was now applied to these tanks,¹⁰ or to the spina itself.¹¹

Races were provided by the emperor on special occasions,¹² and by the magistrates.¹³ According to the description by Tertullian the procession was very long and magnificent.¹⁴ There were

¹H. A. Elag. 15. 1.

²Ephem. viii. 369.

³De spect. 10, 17, 25; Adv. Marc. 1. 27; De pudic. 7; Apol. 38; cf. Min. Fel. Oct. 37. 11; H. A. Elag. 25. 4.

⁴Tert. De spect. 17, 21. ⁵H. A. Alex. 41. 5.

⁶Ad Don. 8; cf. Tert. De spect. 17.

⁷Chronographus anni 354 in Monumenta Germaniae Historica auctorum antiquissimorum, Vol. IX (ed. 2 Mommsen; Chronica Minora 1; Berlin, 1892), pp. 143-48.

⁸Adv. Hermog. 31; cf. H. A. Alex. 24. 3.

⁹Pliny N. H. viii. 7. 21.

¹⁰H. A. Elag. 23. 1.

¹¹Tert. Adv. Hermog. 31.

¹²Her. v. 6. 6; H. A. Pesc. Nig. 3. 1; Gord. 4. 4; Alex. 57. 1-6.

¹³Tert. De spect. 16; Dio lxxvi. 4. 3; H. A. Gord. 4. 4.

¹⁴De spect. 7.

sometimes six chariots in a race, but it was not the usual practice to have so many.¹

Charioteers were slaves² or of low class.³ Some however were given positions of authority in the reign of Elagabalus.⁴ The Red faction and the White, though subordinate to the Green and the Blue, had not disappeared.⁵

This period shows no decline in interest in the Circus. Emperors of this period, Commodus,⁶ Caracalla,⁷ Geta,⁸ and Elagabalus⁹ manifested great love for such games. Alexander Severus too was interested in the races,¹⁰ and provided a fund for the improvement of the Circus.¹¹ Many new games were added by Commodus.¹² There were circus games also on the anniversary of the accession of Pertinax¹³ and of Septimius Severus,¹⁴ which practice seems to have been introduced in this period. Dio Cassius and Herodian comment on the great number of spectators, ἀμύθητοι, at the races.¹⁵

With great frequency popular demonstrations of approval or disapproval arose in the Circus. The spectators criticized conditions in the state,¹⁶ and individuals, emperor¹⁷ and private citizen¹⁸ alike.¹⁹ Demands for the persecution of the Christians often arose in the Circus.²⁰ This freedom of speech, which Ter-

¹Dio lxxvi. 4. 3.

²Ibid. lxxix. 16. 3; lxxx. 15. 1-2; Paul. Dig. xl. 9. 17.

³Tert. De spect. 22.

⁴Her. v. 7. 7; H. A. Elag. 6. 3-4; 12. 1.

⁵Tert. De spect. 30, 9.

⁶H. A. Com. 2. 9; 8. 8; Dio lxxiii. 17. 1; lxxiv. 4. 3.

⁷Her. iv. 11. 9; 7. 2; 12. 6-7; Dio lxxviii. 10. 1-2; 17.

4.

⁸Her. iv. 6. 2.

⁹Her. v. 6. 10; Dio lxxx. 14. 2; H. A. Elag. 14. 5.

¹⁰Her. vi. 7. 10.

¹¹H. A. Alex. 24. 3.

¹²H. A. Com. 16. 9.

¹³H. A. Pert. 15. 5.

¹⁴Dio lxxix. 8. 1.

¹⁵Ibid. lxxvi. 4. 3; Her. iv. 6. 5.

¹⁶Dio lxxvi. 4. 5.

¹⁷Her. ii. 7. 3; H. A. Did. Iul. 4. 7.

¹⁸Dio lxxvii. 2. 2.

¹⁹Tert. De spect. 16.

²⁰Tert. De idol. 14; Scorp. 10.

tullian considered a characteristic feature of the Circus,¹ made it a powerful influence in the state.

3. Amphitheatre.--Alexander Severus altered slightly the provision of Claudius that quaestors-elect should give munera for a specified number of days each year.² He required that those who had been imperial candidates should provide the games at their own expense, while for other quaestors funds should be furnished from the fiscus.³ Other magistrates⁴ also, the aedile⁵ and the praetor,⁶ provided games. The emperor gave exhibitions to celebrate special occasions, as victory,⁷ accession,⁸ birthday,⁹ or marriage.¹⁰

Both Hadrian¹¹ and Marcus Aurelius¹² had restricted one's right to sell a slave to a lanista, but many of the gladiators at this time were slaves.¹³ Criminals, sometimes for offenses less serious than homicide, might be condemned to fight in the arena.¹⁴ It was evidence of extreme cruelty, however, that Macrinus inflicted this punishment on fugitive slaves.¹⁵ A provincial governor might levy gladiators within his province, but a rescript of Septimius and Caracalla forbade him to transport them across the boundaries of the province without the permission of the emperor.¹⁶ Free men sometimes sold their services to a lanista.¹⁷ In the reign of Commodus there were guilds of gladiators.¹⁸

In the venationes which occurred in the morning¹⁹ appeared the bestiarii, who were of the lowest class.²⁰ At this time crim-

¹Tert. De spect. 16.

²Suet. Claud. 24; cf. H. A. Carac. 4. 2.

³H. A. Alex. 43. 3.

⁴Tert. De spect. 12, 30.

⁵H. A. Gord. 3. 5-8.

⁶H. A. Albin. 6. 7.

⁷H. A. Sev. 14. 11; Her. 111. 8; 10. 2; Dio lxxvii. 1. 3-5.

⁸Her. 11. 14. 5.

⁹Dio lxxviii. 19. 1.

¹⁰Ibid. lxxx. 9. 2.

¹¹H. A. Hadr. 18. 8.

¹²Modest. Dig. xlviii. 8. 11.

¹³Tert. De spect. 19.

¹⁴Ibid.

¹⁵H. A. Macr. 12. 10.

¹⁶Modest. Dig. xlviii. 19. 31; Dio lxxvii. 10. 3.

¹⁷Tert. Ad nat. 1. 18; Dio lxxv. 2. 5.

¹⁸CIL, VI, 631.

¹⁹Dio lxxiii. 19. 2.

²⁰Tert. Apol. 9.

inals were exposed to the beasts either with or without weapons.¹ Christians were frequently cast to the beasts, novel ways of slaying them sometimes being devised.² As a relief from these spectacles animals were sometimes slain by amateur or professional venatores without endangering human life,³ or were killed by the spectators.⁴ Sometimes too there were mere exhibitions of rare and costly animals.

Next came amateur gladiatorial exhibitions followed by the real combats.⁵ There were also those who ran a gauntlet before the venatores, who lashed them with leather thongs, and those who ran clad in burning tunics.⁶ Novelty was provided at times by compelling a criminal to assume the rôle of a mythological character and be put to death in a manner appropriate to that character.⁷ The especially inhuman slaughter of unarmed men with which Seneca was familiar in the first century⁸ occurred also at this time.⁹

The statement of Tertullian that the shows of the amphitheatre were the most popular of all the spectacles¹⁰ has some support. The amphitheatre was regularly filled with people from all the Roman world.¹¹ The popularity is shown also by the frequency of the games and the number of gladiators and animals. When the first Gordian was aedile he gave a spectacle each month,¹² which Alexander considered making a regular practice.¹³ Gordian is said never to have exhibited fewer than 150 pairs of gladiators, at times 500, and at one time to have provided 1320 animals.¹⁴

The popularity of these games no doubt was increased by

¹Tert. Ad nat. 11. 14.

²Pass. S. Perpet. 19-20.

³Her. 1. 15. 1-6; Dio lxxiii. 18. 1; 19. 1.

⁴H. A. Gord. 3.

⁵Dio lxxiii. 17. 2; 19. 5.

⁶Tert. Ad nat. 1. 18; Ad mart. 5; Pass. S. Perpet. 19.

⁷Tert. Apol. 15; Ad nat. 1. 10.

⁸Ep. 1. 7. 3-5.

⁹Tert. loc. cit.

¹⁰De spect. 12.

¹¹Dio lxxix. 26. 1.

¹²H. A. Gord. 3. 5.

¹³H. A. Alex. 43. 4.

¹⁴H. A. Gord. 3. 5.

the favor of emperors and senators.¹ Commodus² and Caracalla³ participated in such performances, and the former even transferred his residence for a time to the Vectilian Villa,⁴ a school for gladiators. Caracalla⁵ and also Geta⁶ and Elagabalus⁷ chose gladiators as companions.

Tertullian points out the degrading effect of such a spectacle,⁸ whose essential characteristics were saevitas, impietas, feritas,⁹ and atrocitas,¹⁰ and declares that the Romans took delight in these games because of their cruelty.¹¹

The state of society is revealed by the popularity of such a spectacle, by the appearance of distinguished men in the arena, and by the fact that the only condemnation of these games is in the Christian writers. Disapproval of the participation of the emperor¹² or a senator¹³ does not necessarily indicate disapproval of the spectacle. It is rather the expression of a feeling of class distinction.

4. The Stadium.--Athletic contests and exhibitions were held in the Stadium constructed by Domitian.¹⁴ The Capitoline Agon is the only contest of this kind known to have been held regularly throughout this period.¹⁵ The games of Hercules in honor of Alexander the Great, at which Alexander Severus is said to have presided,¹⁶ were probably also athletic contests, which may have been established by Caracalla.

In the usual contests in boxing, wrestling, and running¹⁷

¹Dio lxxix. 21. 3-4; lxxvi. 8. 3.

²H. A. M. Anton. 19. 5; Com. 12. 11.

³Dio lxxviii. 17. 4.

⁴H. A. Com. 16. 3; Pert. 5. 7; Dio lxxiii. 22. 2.

⁵Dio lxxvii. 7. 1.

⁶Ibid.

⁷H. A. Elag. 6. 4.

⁸De spect. 21.

⁹Ibid. 19.

¹⁰Idem Apol. 38.

¹¹See n. 9 supra.

¹²Her. 11. 2. 4; Dio lxxiv. 2; H. A. Com. 18; Did. Iul. 9. 1.

¹³Dio lxxix. 21. 3-4.

¹⁴Suet. Dom. 4-5.

¹⁵Her. 1. 9. 2; Dio lxxx. 10. 2; Tert. De spect. 11.

¹⁶H. A. Alex. 35. 4. There is no other reference to these games.

¹⁷Tert. De spect. 18, 23, 29; Scorp. 6; H. A. Alex. 42. 2.

there was distinct specialization. In the time of Elagabalus for the first time a contestant won in both boxing and wrestling.¹ Athletes were for the most part non-citizens but they were not slaves. Alexander Severus, refusing to use free-born citizens as couriers, recognized, however, the propriety of their appearing as runners in the contests--in sacro certamine.² According to Ulpian the contestants in boxing and wrestling also were not slaves, but free-born men, sometimes citizens. The legal position of a citizen who was injured in training or in the contest differed from that of a non-citizen.³

In addition to the usual wreath or palm branch,⁴ the victor was sometimes rewarded with various material or civic rewards, including gifts, statues, political honors and privileges, even citizenship. No reward, however, was more highly valued than fame, the glory of victory being compensation for the injuries received.⁵

Although Tertullian thought such exhibitions unbecoming to a Roman,⁶ and to be avoided by Christians,⁷ his disapproval was due primarily to their uselessness, vanitas, which he considered characteristic of athletic contests.⁸ It is clear that the games of the Stadium were on a higher plane than those of the Amphitheatre, Theatre, and Circus.

IX. Crime and Punishment

The jurists show the nature of crime prevalent in this period and the forms of punishment inflicted. The extent of crime and the relative frequency of different kinds can in some measure be determined from other writers.

Homicide as a result of political or social⁹ enmity or in

¹Dio lxxx. 10. 2-3.

²H. A. Alex. 42. 2.

³Ulp. Dig. ix. 2. 7. 4.

⁴Tert. De spect. 29; Scorp. 6.

⁵Ibid. In an analogy found in another treatise Tertullian lists as rewards of the athlete corona, politia, and gloria; Ad mart. 3.

⁶De spect. 18.

⁷Ibid. 3.

⁸Apol. 38; De pudic. 7; De spect. 18.

⁹Idem De pudic. 5.

connection with robbery¹ was very frequent. There were men who were known to be assassins of generals and senators.² Herodian states that the emperors took an antidote for poison before meals.³ Poison was frequently used among all classes.⁴ The veneficus was recognized in criminal law as a distinct type of criminal.⁵

Maiestas was an especially serious offense under Commodus,⁶ Severus,⁷ Caracalla,⁸ and informers flourished.⁹ False charges were made against men of wealth especially in the reigns of Commodus¹⁰ and Elagabalus.¹¹ Sacrilegium was a major crime, which Tertullian states was of frequent occurrence.¹²

The accused had the right to be heard and to be defended by counsel.¹³ But this right was so frequently disregarded by the emperors that Herodian records the fact that Alexander Severus did not condemn any one unheard.¹⁴

Torture was not used as a punishment,¹⁵ but to secure information¹⁶ or confession,¹⁷ or to verify testimony.¹⁸ The Severi seem to have made more frequent use of torture than other emperors of this period. Significant rulings concerning the use of torture were made in their reign. In cases of maiestas senators were no longer exempt from torture.¹⁹ Septimius verified under torture the testimony of a man of rank.²⁰ According to a rescript of

¹Idem De anima 33; Ulp. Dig. xlvii. 17. 1.

²H. A. Sev. 5. 8; Did Iul. 5. 8.

³i. 17. 10.

⁴Tert. De spect. 2. 27; Adv. Marc. v. 10; De idol. 10.

⁵Marcian. Dig. xlviii. 8. 1; Callistr. xlviii. 19. 28. 9.

⁶H. A. Did. Iul. 2. 1.

⁷H. A. Sev. 13, 15, 17; Dio lxxvi. 8. 3-4.

⁸Ibid. lxxix. 12. 1.

⁹Ibid. 18. 2; H. A. Com. 18. 15.

¹⁰Ibid. 5. 13; Her. 1. 8. 8.

¹¹Ibid. v. 6. 1.

¹²Ulp. Dig. xlviii. 13. 7; Tert. Apol. 2. 44; Ad Scap. 2.

¹³Idem Apol. 2. ¹⁴vi. 1. 7; 9. 8.

¹⁵Tert. Apol. 2. ¹⁶Her. iv. 5. 4; Dio lxxix. 2.

¹⁷Tert. De spect. 19; Apol. 1.

¹⁸Dio lxxvi. 9. 6. ¹⁹Paul. Sent. 5. 20. 2.

²⁰Dio lxxvi. 9. 6.

these emperors it was permissible to subject a slave to torture to secure information against his master only in major offenses.¹ Caracalla questioned under torture the slaves, freedmen, and friends of certain senators.² Another provision was that a free man should not be subjected to torture unless he gave contradictory testimony.³ Tertullian, much of whose writing was done during the reign of the Severi, speaks of the use of torture as a common practice,⁴ and one of the regular duties of civil and military officials.⁵

A significant feature of criminal law in this period is the well defined distinction between classes of free-born citizens, the honestiores and the humiliores. The honestiores were those who had received some distinction, as magistrates, senators, knights, and decuriones.⁶ The humiliores were the rest of the free-born population, the jurists sometimes using the term plebeii.⁷ The honestiores were not subjected to degrading forms of punishment or execution, such as flogging or condemnation to the mines,⁸ or death by burning,⁹ crucifixion, or being cast to wild beasts.¹⁰

A similar general class distinction had been made much earlier,¹¹ but there is no evidence that this classification was recognized in criminal law before the time of the Antonines,¹² and the frequent provision by the jurists for such discrimination shows that it received special emphasis in this period.¹³ Temporary degradation to the lower order was a form of punishment sometimes inflicted.¹⁴ Pertinax, dealing with informers,¹⁵ and

¹Cod. ix. 41. 1.

²Dio lxxix. 2.

³Callistr. Dig. xlviii. 18. 15. pr.

⁴Apol. 1; Ad nat. 1. 2; De spect. 19.

⁵De corona 11; De idol. 17.

⁶Callistr. Dig. xlviii. 19. 28. 2; Ulp. Dig. xlviii. 19. 11.

⁷Ibid. xxvi. 10. 1. 8.

⁸Callistr. Dig. xlviii. 19. 28. 2-5.

⁹Ibid. 11.

¹⁰Marcian. Dig. xlviii. 8. 3. 5.

¹¹Caes. B. G. vi. 22; Tac. Ann. xvi. 5.

¹²Marcian. Dig. xlviii. 8. 3. 5.

¹³Ulp. Dig. xlvii. 9. 12. pr. 1; Callistr. xlviii. 19. 28. 2.

¹⁴Ulp. Dig. xlvii. 14. 1. 3; 18. 1. 1. ¹⁵H. A. Pert. 7. 1.

Alexander Severus with military discipline,¹ fixed penalties according to rank.

The humiliores might be crucified or burned alive for serious offenses,² but such punishment was rare except for slaves³ and Christians. Slaves might be burned alive for plotting against their masters.⁴

That exile in some form was a penalty frequently inflicted at this time is quite clear. Known instances cover the entire period, and show wide variation in the nature of the offense and the character of the offender. Among those known to have suffered this penalty were mimes,⁵ soldiers,⁶ the wife and children of Pescennius Niger,⁷ women of the court,⁸ praetorian prefect,⁹ some of the teachers of Alexander Severus,¹⁰ consuls¹¹ and judges.¹²

The prisons in which one awaited judgment or execution were dark, unclean, and crowded¹³ with prisoners other than Christians.¹⁴ Tertullian indicates the prevalence of crime, and mentions frequent offenses and common forms of punishment; Apol. 44:

qui cotidie iudicandis custodiis praesidetis, qui sententia
is elogia dispungitis. Tot a vobis nocentes variis criminum
elogiis recensentur; quis illic sicarius, quis manticularius,
quis sacrilegus aut corruptor aut lavantium praedo,
quis ex illis etiam Christianus adscribitur? De vestris
semper aestuat carcer, de vestris semper metalla suspirant,
de vestris semper bestiae saginantur, de vestris
semper munerarii noxiorum greges pascunt.

X. Communication and Travel

Because of the peace and prosperity of this period there was easy and safe intercourse with all parts of the Empire. New

¹H. A. Alex. 51. 6.

²Callistr. Dig. xlviii. 19. 28. 11; Paul. Dig. xxxviii. 2.

³H. A. Pert. 9. 9; Alex. 28. 4-5.

⁴Callistr. Dig. xlviii. 19. 28. 11.

⁵H. A. Com. 3. 4.

⁶Her. 11. 13. 9.

⁷H. A. Sev. 9. 2; Pesc. Nig. 6. 2.

⁸H. A. Com. 4. 11; 5. 9; Her. vi. 1. 10.

⁹H. A. Macr. 4. 7.

¹⁰Her. v. 7. 6.

¹¹H. A. Com. 4. 11.

¹²H. A. Alex. 15. 4.

¹³Tert. Ad mart. 2.

¹⁴Min. Fel. Oct. 35. 6.

incentive for communication and travel was given when Rome began to be ruled by emperors from the provinces. Official correspondence and those traveling on official business were carried by the Imperial Post. The cost of maintenance of this service, which had previously been borne by towns and provinces, and which had now become a heavy burden, Septimius Severus transferred to the fiscus.¹ The use of the Imperial Post was limited to official business.² Private correspondence was carried by private couriers.³

Wagons and carriages of the usual kinds were in use: pilentum,⁴ carpentum,⁵ carruca,⁶ raeda,⁷ plaustrum.⁸ Those used by matrons in the time of Elagabalus were sometimes drawn by mules or oxen.⁹ Some senators, but not all, owned carriages at this time.¹⁰ People of different classes, including the emperor,¹¹ senators,¹² and matrons¹³ often rode horses or mules, sometimes for great distances, ἐκ πενήκοντα καὶ ἑξακοσίου σταδίου.¹⁴ Alexander Severus included horses and mules, but not carriages, in the regular equipment of the provincial governors.¹⁵

There was considerable luxury in carriages and litters and greater freedom in their use than had previously been enjoyed. Luxurious vehicles were used especially by Commodus and Elagabalus. There were carriages elaborately decorated and provided with adjustable seats, also with means of measuring time and distance.¹⁶ Elagabalus had litters and chariots of gold set with precious stones.¹⁷ As a private citizen he always traveled with at least sixty carriages and as emperor with six hundred.¹⁸ That he

¹H. A. Sev. 14. 2.

²Dio lxxix. 39. 3.

³Paul. Dig. xli. 1. 65. pr.

⁴H. A. Elag. 4. 4.

⁵Ibid.; 31. 8; Macr. 12. 7; Alex. 47. 2.

⁶H. A. Alex. 43. 1.

⁷Ibid.; Elag. 21. 7.

⁸Tert. De anima 17.

⁹H. A. Elag. 4. 4.

¹⁰Ibid. 16. 1.

¹¹Her. iv. 7. 6; H. A. Carac. 7. 2.

¹²H. A. Elag. 16. 1; Alex. 48. 4.

¹³H. A. Elag. 4. 4.

¹⁴Dio lxxviii. 11. 3.

¹⁵H. A. Alex. 42. 4.

¹⁶H. A. Pert. 8. 6-7.

¹⁷Her. v. 8. 6; H. A. Elag. 29. 1.

¹⁸Ibid. 31. 4.

scorned those adorned with silver, ivory, and bronze shows that they were no longer considered a great luxury for the emperor. It is clear however that those trimmed with silver were very rare, since it was as a special privilege that Alexander Severus permitted senators to have such carriages.¹ Matrons in the reign of Elagabalus might use litters of leather or of bone, or those adorned with ivory or silver.² The use of vehicles was by no means unrestricted. When Septimius Severus was legate of the proconsul in Africa, such officials were first permitted to use carriages.³ Not until the reign of Alexander Severus did senators have the privilege of using carriages inside the city.⁴

There was of necessity much travel by sea in all seasons, and shipwreck was not uncommon. The victims of shipwreck were among the regular recipients of charity.⁵

In addition to those who traveled on official business, soldiers, traders, philosophers, students, teachers, and artists, there were many who traveled for pleasure. Many were attracted by the games.⁶ Septimius Severus, who traveled rather extensively, showed the usual Roman interest in the unusual and in the great monuments of antiquity.⁷ The extent of travel is shown by the statement of Tertullian that "all places are accessible, all are known, all are open to commerce."⁸

¹H. A. Alex. 43. 1.

²H. A. Elag. 4. 4.

³H. A. Sev. 2. 7.

⁴H. A. Alex. 43. 1.

⁵Tert. Apol. 39.

⁶Dio lxxix. 26. 1.

⁷H. A. Sev. 3. 7; Dio lxxvi. 13. 1-2; H. A. Sev. 17. 4.

⁸De anima 30.

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